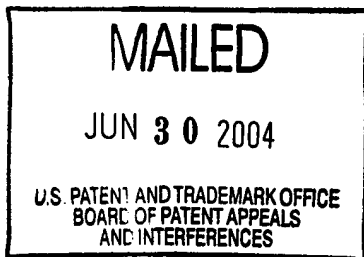


UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES



---

Ex parte MUHAMMED IBRAHIM SEZAN  
and  
REGIS J. CRINON

---

Application 09/928,282

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was received at the Board of Patent Appeals and Interferences on May 24, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below.

Section 1208 of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 1, February 2003) states:

APPEAL CONFERENCE

An appeal conference is mandatory in all cases in which an acceptable brief (MPEP § 1206) has been filed. . . .

. . . .

. . . If the examiner's answer does not contain the appropriate indication that an appeal conference has been held (i.e., including the names of the conferees and identifying themselves as the conferees along with their initials), the Board should return the application directly to the appropriate Technology Center (TC) Director for corrective action. . . . This procedure applies to all examiner's answers received by the Board on or after November 1, 2000.

The Examiner's Answer mailed December 2, 2003 (Paper No. 19) is deficient in that there is no evidence that an appeals conference has been held. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the  
Examiner:

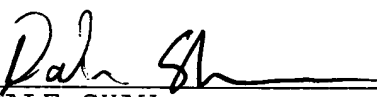
1. for taking corrective action regarding the appeals conference;

Application 09/928,282

2. for written notification to appellants regarding  
the action taken; and

3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
DALE SHAW  
Program and Resource Administrator  
(703) 308-9797

cc: Marger Johnson & McCollom, P.C.  
1030 S.W. Morrison Street  
Portland, OR 97205

DS/psb/lc  
ra040633